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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
BOUTAH, ALINA A	

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/514,460	AMIT ET AL.	
	Examiner	Art Unit	
	Alina N Boutah	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 September 2005* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *23-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *23-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Response to Amendment

This action is in response to Applicant's request for reconsideration received September 29, 2005. Claims 23-27 are pending in the present application. Applicant's arguments have been fully considered and are persuasive. The rejection of claims 23-28 in the previous office action has been withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 23, 25, 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,058,389 issued to Chandra et al. (hereinafter referred to as Chandra) in view of USPN 6,094,694 issued to Hickson et al. (hereinafter referred to as Hickson), in further view of USPN 6,529,932 issued to Dadiomov et al. (hereinafter referred to as Dadiomov).

Regarding claim 23, Chandra teaches a method for a sender to guarantee an exactly once delivery of a message to a receiver, the method comprising:

associating an expiration time with the message (figure 4B; col. 8, line 60 to col. 9, line 2);

associating an identifier with the message (figure 4B; col. 8, line 60 to col. 9, line 2);

storing the message in association with the expiration time and with the identifier (figure 4B).

However, Chandra fails to teach sending to the receiver the message in association with the expiration time and with the identifier; and upon reaching the expiration time, if the message has not been deleted, then deleting the message along with the identifier and the expiration time associated with the message, the deleting being performed by a scavenger thread of the sender.

Although Hickson does not explicitly teach sending an identifier in association with the expiration time to the receiver, he teaches receiving the expiration time, and the message from a receiver (Abstract; col. 2, line 58 to col. 3, line 9; col. 4, lines 33-39) and in order for the receiver to receive the message and its components, it must be sent by a sender. Also, although Hickson does not expressly teach receiving the identifier, it is well known in the art that in a conventional computer system, all messages have some kind of identifier.

Hickson also teaches upon reaching the expiration time, if the message has not been deleted, then deleting the message along with the identifier and the expiration time associated with the message (col. 2, lines 31-39; line 58 to col. 3, line 9). Although Hickson does not explicitly disclose the deletion being performed by a "scavenger thread," he discloses a process that checks whether a message is expired and deletes any expired message (figure 3). In this case, this process is interpreted as a "scavenger thread" because it performs substantially the same function to reach substantially same result.

At the time the invention was made, one of ordinary skill in art would have been motivated to combine the teaching of Hickson with the teaching of Chandra by deleting expired

messages in order to free up storage for the receipt of more messages (col. 2, lines 34-35), thus increasing the system's efficiency.

Claim 25 is similar to claim 23, therefore is rejected under the same rationale.

Regarding claim 26, Chandra teaches a method for a receiver to guarantee an exactly once delivery of a message from a sender, the method comprising:

receiving the message in association with an expiration time and with an identifier (figure 4B; col. 8, line 60 to col. 9, line 2). However, Chandra fails to teach: if the expiration time has passed, then discarding the message and the associated expiration time and identifier; else if the identifier is associated with another message already received by the receiver, then discarding the message and the associated expiration time and identifier; else storing the message in association with the expiration time and with the identifier, performing an action associated with a content of the massage and upon reaching the expiration time, if the message has not been deleted, then deleting the message along with the identifier and the expiration time associated with the message, the deleting being performed by a scavenger thread of the receiver.

Hickson teaches if the expiration time has passed, then discarding the message and the associated expiration time and identifier (col. 2, lines 31-39; line 58 to col. 3, line 9);

else storing the message in association with the expiration time and with the identifier, performing an action associated with a content of the massage and upon reaching the expiration time, if the message has not been deleted, then deleting the message along with the identifier and the expiration time associated with the message (col. 2, lines 31-39; line 58 to col. 3, line 9).

Although Hickson does not explicitly disclose the deletion being performed by a "scavenger thread," he discloses a process that checks whether a message is expired and deletes any expired message (figure 3). In this case, this process is interpreted as a "scavenger thread" because it performs substantially the same function to reach substantially same result.

Dadiomov teaches if the identifier is associated with another message already received by the receiver, then discarding the message and the associated expiration time and identifier (col. 8, lines 8-19).

At the time the invention was made, one of ordinary skill in art would have been motivated to combine the teaching of Chandra, Hickson and Dadiomov by deleting expired messages and messages already received by the receiver in order to free up storage for the receipt of more messages (col. 2, lines 34-35), thus increasing the system's efficiency.

Claim 28 is similar to claim 26, therefore is rejected under the same rationale.

Claims 24 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chandra in view Hickson in view of Dadiomov in further view of USPN 6,282,565 issued to Shaw.

Regarding claims 24 and 27, Chandra fails to teach the method of claim 23 further comprising: receiving from the receiver an acknowledgement of receipt of the message; and deleting the message along with the identifier and the expiration time associated with the

message. Hickson teaches deleting the message along with the identifier and the expiration time associated with the message (col. 2, lines 31-39; line 58 to col. 3, line 9).

Shaw teaches sending an acknowledgement message from the receiver to the sender that corresponds to the message (col. 3, lines 47-52). At the time the invention was made, one of ordinary skill in the art would have been motivated to send an acknowledgment message from the receiver to the sender that corresponds to the message in order to let the sender know that it has received the message, therefore preventing the sender to send the same message again.

Response to Arguments

Applicant's arguments with respect to claims 23-28 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N. Boutah whose telephone number is 571-272-3908. The examiner can normally be reached on Monday-Friday (9:00 am - 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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